UNITED NATIONS FOCUS: ADVANCE COPY

UNITED NATIONS AOUZOU STRIP OBSERVER GROUP

BACKGROUND

Ownership of the Aouzou Strip — an area between the Republic of Chad and the Socialist People's Libyan Arab Jamahiriya — was contested by the two countries beginning in 1973. Following the resumption of diplomatic relations between them on 3 October 1988, both States proclaimed their willingness to resolve the dispute over the Strip by peaceful means. On 31 August 1989, the two Governments signed, in Algiers, a Framework Agreement on the Peaceful Settlement of the Territorial Dispute. In September 1990, after several rounds of inconclusive talks, Chad and the Libyan Arab Jamahiriya referred the dispute to the International Court of Justice (ICJ), the principal judicial organ of the United Nations.

In the case, the Libyan Arab Jamahiriya had based its claims to the area on rights and titles including those of the indigenous inhabitants, of the Senoussi Order (a religious grouping founded during the early part of the nineteenth century) and of a succession of sovereign States — the Ottoman Empire, Italy, and Libya itself. Meanwhile, the Republic of Chad claimed the boundary was established by a Treaty of Friendship and Good Neighbourliness concluded by the French Republic and the United Kingdom of Libya on 10 August 1955, among other arguments.

In its Judgment, delivered on 3 February 1994, the ICJ found that the boundary between Chad and the Libyan Arab Jamahiriya had been defined by the Treaty of Friendship and Good-Neighbourliness. According to the 16-1 decision, the boundary ran "From the point of intersection of the 24th meridian east with the parallel 19° 30' of latitude north, a straight line to the point of intersection of the Tropic of Cancer with the 16th meridian east; and from that point a straight line to the point of intersection of the 15th meridian east and the parallel 23° of latitude north."

In March 1994, both Governments pledged to abide by the ICJ Judgment and noted that it had brought a definite solution to the territorial dispute. After further talks, an agreement was signed on 4 April 1994, establishing the practical modalities for the implementation of the Judgment. The agreement provided, *inter alia*, for the withdrawal of the Libyan administration and forces from the Aouzou Strip, removal of mines, crossing points for persons and property, study of the question of monitoring the frontier, maintenance of good-neighbourliness, demarcation of the boundary, further cooperation and notification of the agreement to the United Nations.

UNITED NATIONS RECONNAISSANCE MISSION

According to the agreement, the withdrawal operation of the Libyan administration and forces would commence on 15 April 1994, under the supervision of a mixed team composed of 25 Libyan and 25 Chadian military officers, and end on 30 May 1994. United Nations observers should be present during the withdrawal operations and should establish that the withdrawal was actually effected.

Following consultations between United Nations Secretariat and Chadian and Libyan officials in New York, both Governments agreed that a United Nations reconnaissance team composed of both civilian and military personnel would visit the area to conduct a brief survey of conditions on the ground.

After the reconnaissance mission was endorsed by the Security Council in its resolution 910 (1994) of 14 April 1994, the team arrived in Tripoli on 15 April and proceeded to the Aouzou Strip on 17 April. On the basis of the discussions with the Chadian and Libyan authorities and of the preliminary assessment of conditions on the ground, the team reported that it

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would be possible to deploy United Nations observers to perform the functions envisaged in the 4 April 1994 agreement

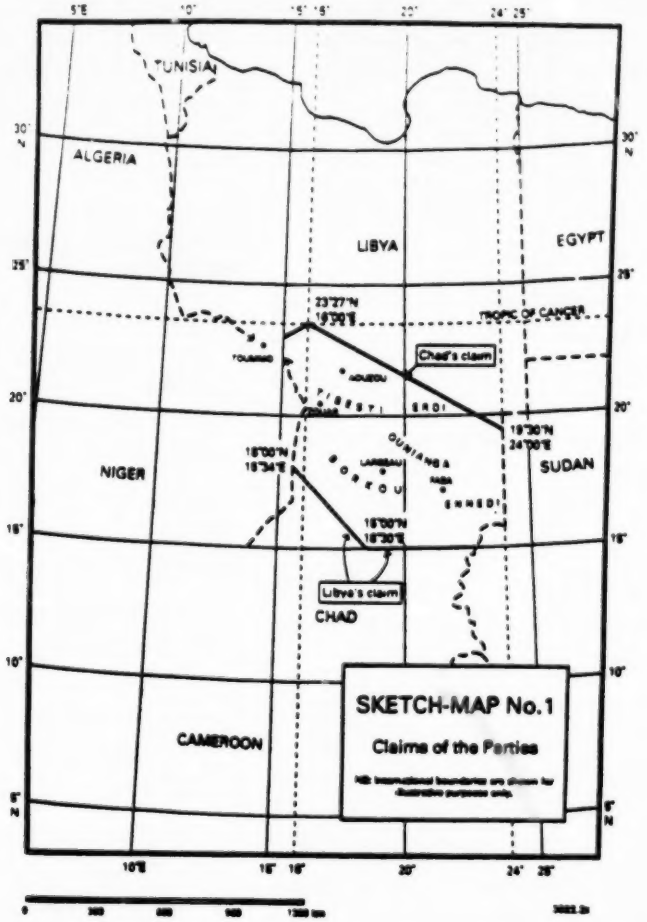
ESTABLISHMENT OF UNASOG

On 27 April 1994, the Secretary-General submitted to the Security Council a report, in which he recommended the deployment of the United Nations Aouzou Strip Observer Group (UNASOG) for a period of approximately 40 days from the date of adoption of the relevant decision of the Council.

The Secretary-General envisaged that, subject to the approval of the Council, UNASOG would be deployed immediately. The reconnaissance team with five military observers already in the area would become the advance party of the operation. Since the withdrawal of the Libyan administration and forces was to begin on 15 April 1994, the team would continue to monitor the withdrawal until the establishment of UNASOG.

The authorized strength of UNASOG would be 9 military observers and 6 international civilian staff. The military observers as well as most of the civilian staff would be drawn from the United Nations Mission for the Referendum in Western Sahara (MINURSO).

The Secretary-General estimated that the cost of UNASOG from 15 April to 30 May 1994 would be approximately $400,000. The cost of the operation would be met by assessed contributions from United Nations Member States.



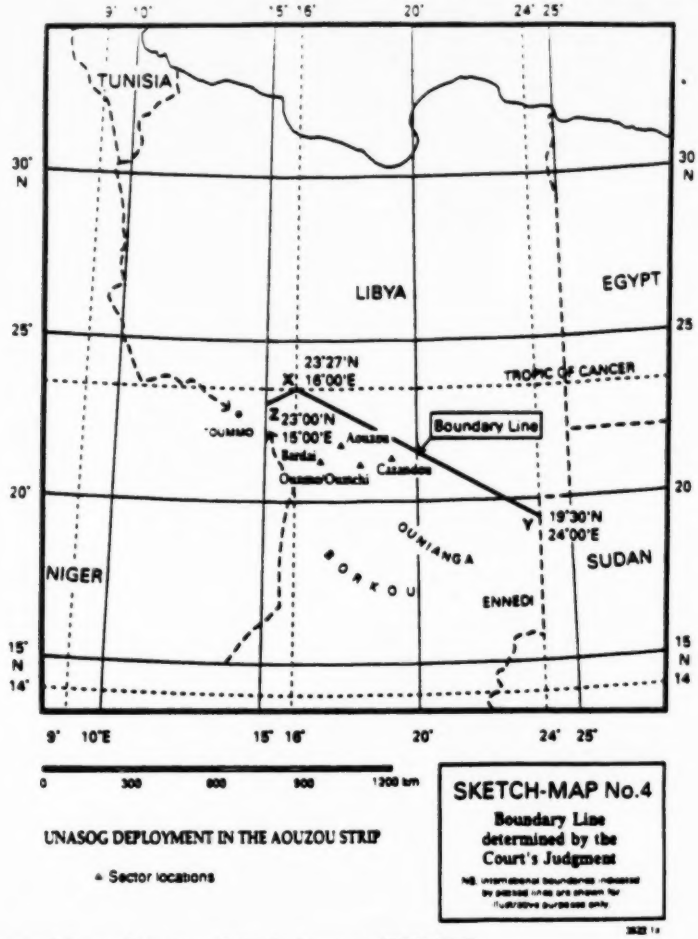
The respective territorial claims of Chad and the Libyan Arab Jamahiriya. The jurisdiction of the International Court of Justice covers all questions which States refer to it, and all matters provided for in the United Nations Charter or in treaties or conventions in force. States may bind themselves in advance to accept the jurisdiction of the Court in special cases, either by signing a treaty or convention which provides for referral to the Court or by making a special declaration to that effect. The seat of the Court is at the Hague, Netherlands.

On 4 May 1994, the Security Council, by its resolution 915 (1994), established UNASOG in accordance with the recommendations of the Secretary-General, and authorized its deployment for a single period of up to 40 days from the date of the resolution. It called upon the parties to cooperate fully with the Secretary-General in verifying implementation of the 4 April agreement and, in particular, to grant UNASOG freedom of movement and all the services it required in order to fulfil its functions.

UNASOG MANDATE COMPLETED

On 30 May 1994, Mr. Abderrahman Izzo Miskine, Minister of the Interior and Security of Chad, and Mr. Mohamed Mahmud Al Hijazi, Secretary of the General People's Committee for Justice and Public Security of the Libyan Arab Jamahiriya, signed a Joint Declaration on behalf of their Governments stating that the withdrawal of the Libyan adminstration and forces from the Aouzou Strip had been effected as of that date to the satisfaction of both parties and monitored by UNASOG. The Chief Military Observer of UNASOG affixed his signature to the Declaration as a witness.

In a report on 6 June 1994, the Secretary-General said UNASOG had left the Aouzou Strip on 5 June after having "successfully" completed its task. The accomplishment of its mandate "amply demonstrates the useful role, as envisaged by the Charter, which the United Nations can play in the peaceful settlement of disputes when the parties cooperate fully with the Organization," the Secretary-General said.



The decision of the International Court of Justice and the deployment of UNASOG.

On 13 June 1994, the Security Council in its resolution 926 (1994) noted "with appreciation" the cooperation of the two Governments with the work of UNASOG, "commended" UNASOG's members for their work, and decided to terminate its mandate.

COMPOSITION

The authorized strength of UNASOG was 9 military observers and 6 international civilian staff. The Chief Military Observer for UNASOG was Colonel Mazlan Baharuddin (Malaysia).

The observers were provided by the following countries:

COUNTRY	OBSERVERS
Bangladesh	1
Ghana	2
Honduras	1
Kenya	2
Malaysia	2
Nigeria	1
TOTAL	9

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